

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF MISSISSIPPI  
OXFORD DIVISION

UNITED STATES OF AMERICA PLAINTIFF

VS. NO. 3:18CR40

NATHAN CALEB BROWN DEFENDANT

EXCERPT OF TESTIMONY  
OF BRANDY BROWN AND JASON BROWN

HEARING ON MOTION TO REVOKE OR AMEND  
ORDER OF DETENTION PENDING TRIAL

BEFORE HONORABLE SHARION AYCOCK  
CHIEF UNITED STATES DISTRICT JUDGE

Aberdeen, Mississippi  
April 23, 2018

APPEARANCES:

For the Government: CLAYTON A. DABBS, Esquire  
CLYDE McGEE, IV, Esquire  
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For the Defendant: STEVEN E. FARESE, Esquire  
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Court Reporter: PHYLLIS K. McLARTY, RMR, FCRR, CCR #1235  
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**THE COURT:** Mr. Farese.

**MR. FARESE:** May it please the Court, Your Honor, I call Brandy Brown.

(OATH WAS ADMINISTERED BY THE COURTROOM DEPUTY.)

**COURTROOM DEPUTY:** Please state your name for the record.

**THE WITNESS:** Brandy Brown.

**COURTROOM DEPUTY:** And have a seat in the witness stand.

**BRANDY BROWN, DEFENDANT'S WITNESS, AFTER BEING DULY SWORN, WAS EXAMINED AND TESTIFIED AS FOLLOWS:**

**DIRECT EXAMINATION**

**BY MR. FARESE:**

**Q.** Ms. Brown, where do you reside?

**A.** Southaven, Mississippi.

**Q.** Okay.

**MR. FARESE:** Can you hear her okay?

**MR. DABBS:** Yeah.

**MR. FARESE:** Okay.

**BY MR. FARESE:**

**Q.** And how long have you resided there?

**A.** Since 2007.

**Q.** Prior to 2007, where did you reside?

**A.** Memphis.

1 Q. And how long had you lived in Memphis?

2 A. My entire life, since I was born.

3 Q. Okay. Did you go to school in Memphis?

4 A. I did.

5 Q. Where did you go to high school?

6 A. At Memphis Catholic and Elliston Baptist.

7 Q. Are you kin to the defendant in this matter, Caleb Brown?

8 A. Yes, sir.

9 Q. And how are y'all related?

10 A. I'm his mom.

11 Q. Okay. Would you tell me your marital status?

12 A. Divorced.

13 Q. And when were you divorced?

14 A. 2015.

15 Q. Okay. And as a result of that divorce, who lives in your  
16 household?

17 A. Caleb.

18 Q. Okay. Do you have any other children?

19 A. My daughter, Emily.

20 Q. And is -- does Emily have any children?

21 A. Yes, sir.

22 Q. How many children does she have?

23 A. She has one and one expecting.

24 Q. Okay. And where is she living now?

25 A. With her dad in Hernando.

1 Q. Okay. How do you and your ex get along?

2 A. We get along great.

3 Q. And what is his name?

4 A. Jason Brown.

5 Q. What does he do for a living?

6 A. He's an optician.

7 Q. Okay. And how far does he live from you?

8 A. Just right down the highway. Just a few miles into  
9 Hernando near the courthouse.

10 Q. Okay. And what do you do for a living?

11 A. I'm -- I work in administration at a CPA firm.

12 Q. Okay. What CPA firm is that?

13 A. Fouts & Morgan.

14 Q. Okay. And what are your work hours?

15 A. Monday through Friday 8:00 to 5:00.

16 Q. Now, I'm going to show you a picture.

17 MR. FARESE: Court indulge me, please.

18 (CONFERRING OFF THE RECORD.)

19 MR. FARESE: Your Honor, I would -- excuse me.

20 BY MR. FARESE:

21 Q. Can you recognize that picture?

22 A. Yes, sir.

23 Q. And who's that a picture of?

24 A. That's a picture of Caleb and my dad.

25 Q. Okay. What is your dad's name?

1 A. Harry Cunningham, Jr.

2 Q. Okay. And what did he do for a living?

3 A. He was a police officer for Memphis, Tennessee, for  
4 33 years.

5 Q. Okay. Is he retired now?

6 A. Yes, sir.

7 Q. Okay.

8 A. Retired captain.

9 MR. FARESE: Your Honor, I have a number of pictures.  
10 If there's not an objection, or whatever the Court desires, I  
11 would like them to be entered later as a collective exhibit.

12 THE COURT: Any objection?

13 MR. DABBS: No objection.

14 THE COURT: They will be received as a collective  
15 exhibit.

16 BY MR. FARESE:

17 Q. Tell me who's in this picture.

18 A. That's Caleb and Emily.

19 Q. Okay. And approximately how old was Caleb in that  
20 picture?

21 A. Two, two and a half.

22 Q. Are he and his sister close?

23 A. They're very close.

24 Q. Again, who is that?

25 A. Caleb and Emily.

1 Q. Okay. Can you tell me who's in this photograph?

2 A. That's Caleb and his dad.

3 Q. Did Caleb and his dad do a lot together during Caleb's  
4 youth?

5 A. Oh, yes.

6 Q. Was he a good father?

7 A. Oh, yes. Great.

8 Q. Is he still a good father?

9 A. A good father.

10 Q. Did he spend time with the children?

11 A. Yes, he does.

12 Q. Did he teach them values?

13 A. Oh, yes.

14 Q. Thank you. Who is this picture of?

15 A. That's me, my dad, and Caleb.

16 Q. What does this picture reflect?

17 A. That's us on a family trip to Florida, the kids goofing  
18 off with Jason.

19 Q. Okay. And this photo?

20 A. That's Caleb with his dog, Sadie.

21 Q. Okay. How does Caleb get along with animals?

22 A. He loves animals.

23 Q. Does he --

24 A. He's always --

25 Q. Does he mistreat them?

1 A. No, not at all. He rescues them.

2 Q. Okay. Is this a rescue dog?

3 A. It is. It is, uh-huh.

4 Q. This photograph?

5 A. That's Sadie, the dog, Caleb, and Emily.

6 Q. I want you to speak up just a little. Probably not for  
7 the Court or the prosecution but for me, okay? Who is this a  
8 photograph of?

9 A. That's Caleb and Ms. Anne Gardino, the assistant  
10 principal at Holy Rosary.

11 Q. Okay. Tell the Court what Holy Rosary is.

12 A. It's a Catholic school in Memphis, grades K through  
13 eighth. I went there. My kids both went there.

14 Q. Okay. And what grade does it go to?

15 A. Eighth grade.

16 Q. What's this a picture of?

17 A. That's Caleb and Mr. Mullis. He's the principal of Holy  
18 Rosary.

19 Q. Did Caleb graduate from Holy Rosary?

20 A. Yes, sir.

21 Q. And who is this?

22 A. That's Caleb with Kitty. She's a rescue as well.

23 Q. This?

24 A. Caleb.

25 Q. Who are the people in this photograph?

1 A. I don't know their names. It's Caleb, some friends of  
2 his from school. That's Rowan, second from the right, and I  
3 think his name is -- what's his name -- JT. It was an  
4 abbreviation. They played football together.

5 Q. And who is Caleb with in this photograph?

6 A. That's Caleb and Ian, one of his little best friends from  
7 Holy Rosary.

8 Q. And this photograph?

9 A. That's Taylor, Emily, and Caleb.

10 Q. Emily being his sister?

11 A. His sister, uh-huh.

12 Q. Okay.

13 A. Caleb and JT. Caleb and Autumn. Her name is Autumn.

14 Q. Okay. This photograph?

15 A. That's Caleb and my dad on his graduation day.

16 Q. From Holy Rosary, correct?

17 A. From Holy Rosary.

18 Q. Okay. This?

19 A. That's during his graduation inside the church at Holy  
20 Rosary Church.

21 Q. And this is Caleb with?

22 A. His graduation, his diploma.

23 Q. And this is?

24 A. That's Caleb receiving his diploma from Father Martell at  
25 Holy Rosary.



1 Q. And this is?

2 A. That's Emily, his sister, and Caleb on Christmas.

3 Q. And this?

4 A. Caleb, me, and Emily.

5 Q. Okay. Do you know about when that was?

6 A. That was fall of 2015. We were at my nephew's wedding  
7 reception.

8 Q. And this?

9 A. Same day. That's Emily and Alan and Sammy and me and  
10 Caleb, and that's Tyler in the background.

11 Q. Would you consider Caleb to be antisocial?

12 A. No, not at all.

13 Q. Do you consider him to have any type of mental  
14 deficiencies of any kind?

15 A. No.

16 Q. Now, when Caleb was younger, he had a learning  
17 disability; is that correct?

18 A. Right.

19 Q. And when was that?

20 A. Third grade.

21 Q. And what was that disability?

22 A. Reading. It was just comprehension.

23 Q. Has he overcome that disability?

24 A. Yes, he did.

25 Q. How?

1 A. We enrolled him in a school in Little Rock called  
2 LearningRx, and we drove him there twice a week from Memphis to  
3 LearningRx. And he took a series of classes over a summer, and  
4 he overcame that and went back into school, and he could read a  
5 lot better and did a lot better in class then because he could  
6 take his tests better.

7 Q. This year how was he doing in his grades?

8 A. He has straight A's.

9 Q. What's this a photograph of?

10 A. That's Caleb, his sister, and his dad.

11 Q. Okay. Who is this?

12 A. From the right, that's Caleb, Emily, and little Ella.  
13 That's Emily's daughter, my granddaughter, and Caleb's niece.

14 Q. Does Caleb interact with his niece?

15 A. Very much. He babysits her.

16 Q. Okay. What's this a picture of?

17 A. That's Caleb with Ella, his niece.

18 Q. And this picture?

19 A. The same, Caleb with Ella, his niece.

20 Q. Okay. And this picture?

21 A. Caleb and Ella, and then right down in the bottom is his  
22 new little dog Scarlett. She was also a rescue.

23 Q. And this is a picture of?

24 A. That's Blake and Caleb.

25 Q. Do you know when that was made?

1 A. Within this last year. Within the last six or  
2 seven months.

3 Q. Okay. And this photograph?

4 A. That is a picture of Caleb with Blake and Larry. And I  
5 don't know the little girl's name. They were at Larry's  
6 birthday party.

7 Q. And when was this?

8 A. Within the last six months.

9 Q. And this photograph?

10 A. That's his senior picture, his graduation picture.

11 Q. That one also?

12 A. Oh, yes, sir. Sorry. Yes, sir.

13 Q. Okay.

14 MR. FARESE: Now, Your Honor, I would ask that these  
15 be admitted as collective Exhibit Number 10.

16 THE COURT: Hearing no objection, they're admitted.  
17 (EXHIBIT NO. D-10 ADMITTED INTO EVIDENCE.)

18 MR. FARESE: Your Honor, I would ask the Court to  
19 allow us to make copies of these photographs. They're family  
20 photos and the only ones they have.

21 THE COURT: Okay. You may substitute copies.

22 MR. FARESE: Thank you, Your Honor.

23 BY MR. FARESE:

24 Q. Ms. Brown, previously in collective Exhibit 9 and -- the  
25 U.S. Attorney has shown this knife to the Court. Do you

1 recognize that?

2 A. I do.

3 Q. Did Caleb buy this knife?

4 A. No, he did not.

5 Q. How did he come into possession of that knife, if you  
6 know?

7 A. My sister gave it to him. My brother-in-law passed away  
8 a couple of years ago, and that was one of his knives, so my  
9 sister gave it to Caleb as a remembrance of Winfred.

10 Q. Okay. Now, let's talk about the guns that were found in  
11 your house. You heard the agent, Mr. Boling, state that a  
12 firearm was found on a piece of furniture in your bedroom,  
13 correct?

14 A. True.

15 Q. What type of gun was that?

16 A. A Smith & Wesson .38.

17 Q. Okay. And why was that on top of your furniture?

18 A. On top of the chest of drawers, on the very top, in the  
19 very back.

20 Q. And why was that there?

21 A. Why was it there? So I could get to it close for home  
22 protection.

23 Q. Okay.

24 A. That's all I have to protect myself.

25 Q. Do you have any other weapons you --

1 A. I do. I have two -- two guns.

2 Q. Okay. And tell me about those. Did you have ammunition  
3 for those guns?

4 A. No, sir.

5 Q. Where did those two guns come from?

6 A. One was a Derringer that I bought because I thought it  
7 was -- I don't know. It was, no bullets, in my lingerie  
8 drawer. The other one I purchased recently. It's a .380, no  
9 bullets. It was in the plastic contain -- in the box it comes  
10 in. It was in the bottom of a dresser drawer with other things  
11 on top of it.

12 Q. Okay. Now, have you ever seen Caleb touch a gun?

13 A. No.

14 Q. You've certainly never seen him fire a gun, correct?

15 A. Correct.

16 Q. Has he ever exhibited any tendencies or curiosity about  
17 firearms?

18 A. No.

19 Q. Would you describe to the Court what type of young man  
20 Caleb is from your perspective?

21 A. From my perspective, he is a sweet and caring young man.  
22 He will go out of his way to do anything for anyone. He would  
23 never hurt anyone. He jokes. He's got a weird way of joking.  
24 He does like to get a rise out of people. He likes to see  
25 other people's responses. He thinks it's humorous how people

1 will run with something that he says and the lengths they will  
2 take it to.

3 He's always wanting to pick animals up off the side of  
4 the road and bring them home. I'm having to tell him no. He  
5 babysits his niece. And he's always there whenever I need him.  
6 He's always with me. He always does anything that I need him  
7 to. He's my life, and he's my entire world. He is my heart,  
8 and I would trust him with my life.

9 Q. Does he work?

10 A. He does work.

11 Q. What does he do?

12 A. He's a range aid at a Tennessee Motorcycle Safety School.

13 Q. And what does he do there?

14 A. He -- in between the different lessons, he sets up the  
15 cones, so he gets the range ready for different lessons.

16 Q. And who owns that range?

17 A. My mom and dad.

18 Q. Okay. And was that one of the letters submitted to the  
19 Court?

20 A. Yes, sir.

21 Q. Okay. Now, the government has asked you in one of the  
22 exhibits about a text last year when the school called Caleb  
23 in. Do you remember that?

24 A. I do.

25 Q. Were the police ever called?

1 A. No.

2 Q. Okay. And in that text in responding to him, you told  
3 him nobody would think that was funny, correct?

4 A. Right.

5 Q. Okay. Because you're an adult?

6 A. Right.

7 Q. Okay. And you have children?

8 A. Right.

9 Q. And would it be correct to say that young men or young  
10 women can't understand some feelings unless they have children  
11 themselves?

12 A. True.

13 Q. Such as the safety of their children?

14 A. True.

15 Q. How does Caleb interact with his father, Jason, now?

16 A. They spend a lot of time together. Probably four to  
17 five, if not more, days a week. They go out to dinner a lot.  
18 They go to movies, family functions down there. They go to the  
19 gym. They're very close.

20 Q. Do you consider Jason as a person who's been bullied?

21 A. Jason has been bullied?

22 Q. Excuse me. Caleb. I'm sorry.

23 A. No. Whenever he was younger, like, third grade -- third,  
24 fourth grade, a little bit on the playground, but, no.

25 Q. Okay. Do you consider him to be antisocial?

1 A. No.

2 Q. Do you consider him to be a loner?

3 A. No.

4 Q. Okay. If the Court saw fit in granting Caleb bond until  
5 this matter comes to some sort of conclusion, would you aid the  
6 Court in seeing that he followed the rules and regulations as  
7 set down by the Court?

8 A. Yes, sir.

9 Q. If you had any trouble with him doing that -- would you  
10 expect any trouble?

11 A. I wouldn't expect any trouble from him at all, no.

12 Q. But if you did, would you report that?

13 A. I would.

14 Q. Okay.

15 A. I would.

16 MR. FARESE: Nothing further, Your Honor.

17 THE COURT: Thank you. Cross-examination.

18 MR. McGEE: May I proceed, Your Honor?

19 THE COURT: You may.

20 **CROSS-EXAMINATION**

21 **BY MR. McGEE:**

22 Q. Ms. Brown, again -- hello again. I know this is tough  
23 for you. I can't imagine what you're going through right now.  
24 I wanted to show you this picture real quick. I don't think  
25 there's any dispute -- and it's a little grainy, I understand,



1 but you've probably seen the profile since then. That is --  
2 that's your son, right?

3 A. Right.

4 Q. That's your son's picture, right?

5 A. It is.

6 Q. That's not his name though, right?

7 A. Huh-uh.

8 Q. But that's his picture?

9 A. No, that's not his legal name.

10 Q. I'm sorry. Could you speak up a little bit?

11 A. I'm sorry. It's not his legal name, no. That is his  
12 picture.

13 Q. Okay. And I saw some pictures previously of his -- of  
14 his niece, right?

15 A. Right.

16 Q. And approximately how old is she?

17 A. She'll be ten months in a couple of weeks.

18 Q. Okay. And so you've probably seen where Dexter Wolf  
19 posted a couple of pictures of his niece on this Twitter feed?

20 A. I have not.

21 Q. Okay.

22 A. I have not seen it.

23 Q. Okay. You have not seen that, you said?

24 A. No, I have not.

25 Q. Okay. Are you aware of who Dexter is or what that means?

1 A. It's a TV show, correct?

2 Q. About serial killers, right?

3 A. About a serial killer who catches serial killers. I've  
4 never watched the show.

5 Q. Okay. But you're aware of that?

6 A. I know it's a character from a TV show.

7 Q. Got you. And I think, as Mr. Farese asked you here, your  
8 reaction to your son telling you -- what he said about  
9 Columbine, your reaction was, "Well, of course, they didn't  
10 find it funny. Nobody finds shit like that funny." Right?

11 A. I don't find it funny.

12 Q. It's not funny, is it?

13 A. I don't think it is.

14 Q. I agree. And I'm sure -- as you stated there, I'm sure  
15 your reaction, you know, was, I can't believe my son, you know,  
16 posted that and now he's in trouble, right?

17 A. Well, I understand Caleb's humor.

18 Q. Right. But, I mean, I'm sure your reaction was, that was  
19 not smart. I can't believe he did that. Right?

20 A. It wasn't a smart thing to post for the world to see --

21 Q. Right.

22 A. -- which is why I told him not everyone finds that funny.  
23 After that, he discussed his humor in private settings.

24 Q. Right. And so you -- I think before that it had  
25 mentioned -- or you had mentioned that, "Did I not warn you to

1 pay more mind to things you say and post?" And that was back  
2 in 2017, right? So you had warned him before, right?

3 A. About posting things to a public forum.

4 Q. Correct. And you warned him, and he did it, right? He  
5 still did it, right?

6 A. Uh-huh. Not on a public forum. He posted among his  
7 group of friends.

8 Q. Right. Well, you know, maybe group of friends, but  
9 someone got scared, in his words. This is in your son's words.  
10 Someone got scared and told their parents, right? So someone  
11 obviously saw that --

12 A. Right.

13 Q. -- in a public setting and notified --

14 A. Right.

15 Q. -- the police, right --

16 A. That's --

17 Q. -- or the school? Excuse me.

18 A. Right.

19 THE COURT: Excuse me, Mr. McGee. Could I get you to  
20 move just a little closer to the mike?

21 BY MR. McGEE:

22 Q. And I'm not trying to trick you, I promise. All I'm  
23 asking is, you warned him, and he still posted something on  
24 Instagram, right?

25 A. That's what I said. Is that too loud?

1 Q. Okay. Fair enough. And, again, we saw a lot of pictures  
2 of him when he was younger and whatnot, but he's 19 1/2 years  
3 old?

4 A. He's today, yes.

5 Q. Right?

6 A. Right. Today he's 19.

7 Q. Today he's 19 1/2?

8 A. Right.

9 Q. Okay. So, essentially, he's a grown man, right?

10 A. He's 19.

11 Q. Right.

12 A. He doesn't think like a 19-year-old.

13 Q. Sure. So you warned him again, I guess, in April of  
14 2017. He did it again, right, in February and March, because  
15 that's why we're here today, right?

16 A. He did it in a different setting. In my --

17 Q. A public setting though, right?

18 A. In my opinion, he now interacts in a controlled group  
19 with friends who understand him and his sense of humor.

20 Q. Okay. Are you aware that this -- these tweets went out  
21 in a public setting? In fact, I can pull out my phone right  
22 now and show you these tweets --

23 A. Uh-huh.

24 Q. -- right?

25 A. I don't know.

1 Q. You're not aware of that?

2 A. I don't know. I've not looked at them on Twitter.

3 Q. Okay. Anyway, I guess my question is -- and, again, not  
4 a trick question -- you warned him again in April of 2017, and  
5 he posted stuff again, right?

6 A. If I tell -- okay, yes. If I tell Caleb this is what I  
7 think, that doesn't mean a light bulb goes off in his head and  
8 that's what he now thinks. It's just me saying that. And  
9 then --

10 Q. I agree.

11 A. Right. So he doesn't necessarily understand what I've  
12 said.

13 Q. Because you -- I mean, nobody can control every person in  
14 the world, right? I mean, you can't control a 19 1/2-year-old  
15 son, right?

16 A. I can't control what he thinks --

17 Q. Exactly.

18 A. -- right.

19 Q. That's right.

20 A. And I can't control his humor.

21 Q. Speaking of what he thinks, this has to concern you a  
22 little bit, I know. I mean, I have children, and this has got  
23 to concern you. Where he said, "If I tweeted my thoughts, no  
24 one would believe they're my actual thoughts or believe my name  
25 is actually Dexter since I think about killing people in

1 detail, how to get away with it, what to take as trophies, and  
2 what kind of ritual to do." That's got to be a little  
3 concerning, right?

4 A. I think that's from the TV show, right? Because --

5 Q. I don't believe it is.

6 A. -- his name is not actually Dexter.

7 MR. FARESE: Objection --

8 THE COURT: Okay. Excuse me. I don't need all of you  
9 talking at the same time. We're trying to make a record. So a  
10 question was asked. Don't answer it. I have an objection.

11 MR. FARESE: Your Honor, I object to being  
12 argumentative with the witness. If she knows what the TV show  
13 is, she can answer. If he doesn't know, he can't question  
14 that.

15 MR. McGEE: Your Honor, I can rephrase my question.

16 THE COURT: It's overruled. You may rephrase.

17 BY MR. McGEE:

18 Q. Ms. Brown, again, I'm not trying to argue with you, and  
19 I apologize if I was. I'm sorry. Are you testifying under  
20 oath that that is a quote from Dexter?

21 A. I don't know for sure, but I think it is. That's why I  
22 said I think, isn't it? I was kind of asking. Is it that? I  
23 think it is because -- wait a minute. Hold on. Let me see  
24 this. Believe my --

25 THE COURT: Okay. You're mumbling.

1           **THE WITNESS:** I'm sorry. I was trying to reread that  
2 real quick.

3       **A.** Or my -- believe my name is actually Dexter. Because his  
4 name isn't actually Dexter, so that makes me think that that's  
5 from the TV show because his name is not Dexter. Does that  
6 make sense?

7       **BY MR. McGEE:**

8       **Q.** Right. Yeah, I understand what you're saying.

9       **A.** Okay.

10      **Q.** And so when you see things like this and things where he  
11 talks about a Columbine version two -- we've seen that a bunch,  
12 right? When you see that, you're not concerned at all?

13      **A.** No. I know -- I know Caleb. I know he doesn't mean  
14 anything by that.

15      **Q.** But, again, we can't get in somebody's mind, right?  
16 Right?

17      **A.** Not all of the time.

18      **Q.** Right.

19      **A.** But I know Caleb's humor.

20      **Q.** And so was your reaction when -- and I can't imagine it  
21 being anything else, but was your reaction when this happened,  
22 I can't believe this happened again?

23      **A.** I couldn't believe any of it was happening to be honest.

24      **Q.** Right.

25      **A.** The entire thing -- I can't believe the entire thing was

1     happening.

2     Q.     In other words, I can't believe we're sitting here in  
3     federal court because he posted, again, something about school  
4     shootings and whatnot?

5     A.     I just -- not necessarily just that. It's all of it.  
6     It's --

7     Q.     And so let me ask you this. If -- if, God forbid, Caleb  
8     would have shot up a school, would your testimony be the exact  
9     same today?

10    A.     It would be --

11    Q.     Okay.

12    A.     -- because I know Caleb. I believe him. He just says  
13    things. He posts things. It's his sense of humor. He says it  
14    knowing that people know he's joking, as they should know that  
15    he's joking, and he's just joking.

16           MR. McGEE: That's all I have. Thank you.

17                           **REDIRECT EXAMINATION**

18    **BY MR. FARESE:**

19    Q.     Ms. Brown, you were asked about Caleb's age being 19.  
20    Does his maturity match his chronological age?

21    A.     I don't think so, no.

22           MR. FARESE: Nothing further, Your Honor.

23           THE COURT: You may step down.

24           Who would you call next?

25           MR. FARESE: Jason Brown.



1 (OATH WAS ADMINISTERED BY THE COURTROOM DEPUTY.)

2 COURTROOM DEPUTY: Please state your name for the  
3 record.

4 THE WITNESS: Jason Brown.

5 COURTROOM DEPUTY: And have a seat in the witness  
6 stand.

7 JASON BROWN, DEFENDANT'S WITNESS, AFTER BEING DULY SWORN, WAS  
8 EXAMINED AND TESTIFIED AS FOLLOWS:

9 DIRECT EXAMINATION

10 BY MR. FARESE:

11 Q. Mr. Brown, where do you live?

12 A. In Hernando, Mississippi.

13 Q. How long have you lived there?

14 A. Four years.

15 Q. Okay. Where did you live prior to that?

16 A. Southaven.

17 Q. Okay. How long there?

18 A. From '07 until '14 probably.

19 Q. Okay. And before '07, where did you live?

20 A. Memphis, Tennessee, my whole life.

21 Q. Okay. How far from where you lived in Memphis is your  
22 Southaven residence now?

23 A. Fifteen miles.

24 Q. Okay. What do you do for a living?

25 A. Optician.

1 Q. And where is your place of business?

2 A. Memphis.

3 Q. Okay. Approximately how far from your home?

4 A. Takes me about 50 minutes one way.

5 Q. Okay. And are you kin to the defendant in this matter?

6 A. He's my son, Caleb.

7 Q. Would you describe to the Court Caleb and the type of  
8 person, from your perception, that he is.

9 A. Okay. Caleb is a good kid. Growing up, never caused any  
10 trouble. We've gotten a lot closer here over the past few  
11 years. We hang out a lot more. I've got him involved in the  
12 gym. We go out to eat a lot with my parents. I mean, he's  
13 just a good kid. He's never -- you know, a lot better than I  
14 was growing up. I can put it to you that way. He's a good  
15 kid. He's never caused me any problems.

16 Q. How often on an average would you say you see your son a  
17 week?

18 A. Minimum, five days, because we're at the gym five days a  
19 week and then out to eat. Sometimes seven days a week. At  
20 least five.

21 Q. Does he come to your house?

22 A. He actually picks me up, because the gym is right around  
23 the corner from my house.

24 Q. Was there anything in his childhood that would cause you  
25 concern about his behavior -- behavior?

1 A. No. He was a good kid.

2 Q. Have you ever noticed any violent tendencies?

3 A. Caleb wouldn't hurt a fly.

4 Q. Pardon?

5 A. He wouldn't hurt a fly. I mean, he's just -- he's a good  
6 kid.

7 Q. Have you ever seen him shoot a firearm?

8 A. Never.

9 Q. Have you ever seen him handle a firearm?

10 A. Never.

11 Q. Do you own a firearm?

12 A. I do not.

13 Q. You heard Caleb's mother talk about his maturity level.  
14 How do you see his maturity level?

15 A. I mean, I don't think he's 19. Chronological age is 19,  
16 but I'm more around the 16 mark.

17 Q. Okay. Do you consider him to be antisocial?

18 A. No. No, I do not.

19 Q. Do you consider him to be a loner?

20 A. No.

21 Q. Do you know how he's doing in school or was doing in  
22 school?

23 A. A's.

24 Q. And when was he scheduled to graduate?

25 A. Next month. I believe the 29th of May.

1 Q. Okay. Does he have interaction with other family members  
2 besides you and his mother?

3 A. Sure. Grandparents, great grandmother, sister, niece,  
4 yeah.

5 Q. Does he attend family functions?

6 A. Every time we have them, he's there.

7 Q. And do y'all have them?

8 A. Oh, yes. Uh-huh.

9 Q. If the Court saw fit to put some type of, let's say,  
10 extra restraints on him if the Court decides to grant bail on  
11 this, would you help monitor him?

12 A. 100 percent.

13 Q. Okay. If he did wrong or weren't obeying you, would you  
14 report that?

15 A. Of course.

16 Q. Would you consider Caleb as growing up in a law and order  
17 family?

18 A. Yes, sir.

19 Q. Do you know what his desires were to be in the future and  
20 what he wanted to be?

21 A. He's -- he's trying to figure it out. I mean, he's  
22 interested in pets. He doesn't know if he wants to go that  
23 direction. I mean, he's trying to figure it out like most  
24 19-year-olds are.

25 Q. Right. As far as your ex-wife is concerned, what type of

1 mother is she?

2 A. She's a good mother.

3 Q. Is she caring?

4 A. Of course.

5 Q. Is she supportive?

6 A. Yes.

7 Q. Does she love her children?

8 A. More than you'll know, yes.

9 Q. Does she consider herself a law and order person?

10 A. I believe so, yes.

11 Q. Is there anything else you would like to add to the judge  
12 on direct before I sit down?

13 A. I mean, just -- I mean, if he gets bond, I mean, we'll do  
14 whatever the Court says. I mean, he'll follow all directions.  
15 I'll make sure of it. And, you know, if -- whatever I need to  
16 do will be done. I mean, it doesn't matter what it is. I'll  
17 do it.

18 Q. Do you consider him a danger to himself or to others?

19 A. No. Far from -- no.

20 MR. FARESE: Nothing further, Your Honor.

21 THE COURT: Thank you. Cross-examination.

22 MR. DABBS: Thank you, Your Honor.

23 CROSS-EXAMINATION

24 BY MR. DABBS:

25 Q. Mr. Brown, good morning. As I said last time, I know

1 this is brutal. It's not something any parent wants to deal  
2 with. I just have a couple of questions.

3 Caleb, last year, was searched before he -- before he  
4 went to school because of things he said on Instagram. Now, it  
5 seems like that would just shock a parent. What was your  
6 reaction to that?

7 A. I went to the school and talked to the assistant  
8 principal. That was the guy that was handling it. He informed  
9 me that he didn't think much of it. He knew Caleb. Caleb  
10 would never cause any problems. Caleb was a good student.

11 To appease a couple of other parents, Caleb would have to  
12 let him search him or his vehicle for the next two weeks and  
13 then randomly for the rest of the year.

14 Q. So -- so he was searched, but it didn't stop him from  
15 continuing to do this bizarre online behavior?

16 A. Well, not really, because the search lasted about a week,  
17 and then nothing else was ever said about it. So that's how  
18 much of a -- you know, they didn't think it was anything to it.

19 Q. So it doesn't sound like you have much concern about  
20 Caleb. I mean, obviously, you're his dad. I completely  
21 understand you would come -- you're going to defend your son.  
22 I understand that completely. It just doesn't sound like  
23 there's much concern about Caleb.

24 A. Oh, there's concern.

25 Q. Do you think he needs counseling?

1 A. Probably.

2 Q. I mean, it's -- there's a picture of a dead woman that  
3 says "You never forget your first kill."

4 A. Correct.

5 Q. That -- it seems like that's something that would really  
6 get your attention.

7 A. Once again, I know Caleb. Caleb is playing a part on  
8 that computer. That's not Caleb.

9 Q. And he primarily -- you mentioned that you would help  
10 enforce whatever -- whatever the Court orders. He primarily  
11 lives with his mom. That's right?

12 A. Correct.

13 Q. Isn't that right?

14 A. Correct. Yeah.

15 Q. So you don't see Caleb -- I mean, it's not like you can  
16 watch Caleb 24 hours a day?

17 A. If he stayed at my house, I could.

18 Q. But you -- you have a job. You have to work?

19 A. Correct. I have other people that live in my -- there's  
20 always at least two people in my house 24 hours a day.

21 Q. Okay. And just so I understand, I was -- I saw the  
22 pictures earlier of a Catholic school. What age did that end?

23 A. Well, kindergarten to eighth. Are you 13 or 14 in the  
24 eighth grade?

25 Q. Okay. So the -- that was not the current school he goes

1 to. That was a previous school, the Catholic school?

2 A. Correct, in Memphis.

3 Q. And then he went to --

4 A. DeSoto Central when we moved to Mississippi.

5 Q. Okay.

6 MR. DABBS: Your Honor, I believe that's all I have.

7 THE COURT: Any redirect?

8 REDIRECT EXAMINATION

9 BY MR. FARESE:

10 Q. There were also current pictures of him, correct?

11 A. Yes.

12 Q. Pictures with his high school friends?

13 A. Correct.

14 Q. Pictures in his graduation --

15 A. Correct.

16 Q. -- outfit --

17 A. Yep.

18 Q. -- right? His robes? When you say that Jason probably  
19 needs counseling, would you be willing -- if the Court ordered  
20 you to see that he has counseling, would you do that?

21 A. Yes, sir.

22 Q. And would you pay for it?

23 A. Yes, sir.

24 Q. When you said there's someone at your home 24 hours a day  
25 or thereabouts, who would those people be?



1     **A.**     Well, me and my girlfriend live there. Her daughter is  
2     currently living with us, which she works nights, so she's  
3     there all day. And then my daughter, Emily, just moved back up  
4     here from Florida. She's eight months' pregnant, so she does  
5     not work. She's -- she's always there.

6     **Q.**     So there would be people there to keep an eye on him?

7     **A.**     Yes, sir.

8             **MR. FARESE:** Nothing further, Your Honor.

9             **THE COURT:** You may step down, sir.

10            **THE WITNESS:** Thank you.

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**CERTIFICATE**

I, Phyllis K. McLarty, RMR, FCRR, CCR #1235, Official Court Reporter for the United States District Court, Northern District of Mississippi, was present in court during the foregoing matter and reported said proceedings stenographically.

I further certify that thereafter, I, Phyllis K. McLarty, RMR, FCRR, CCR #1235, have caused said stenographic notes to be transcribed via computer, and that the foregoing 33 pages are a true and accurate transcription to the best of my ability.

Witness my hand, this 8th day of June, 2018.

/s/ Phyllis K. McLarty  
PHYLLIS K. McLARTY, RMR, FCRR, CCR #1235  
Official Court Reporter